

HOUSE BILL No. 1333

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-62.5; IC 9-13-2-77.5; IC 9-18; IC 35-42-2-1; IC 35-44-4-3; IC 35-47-4.5-3.

Synopsis: Firefighters license plates. Creates a firefighter special group recognition license plate and fund. Specifies the method of distribution and appropriation for the deposits in this special group recognition fund. Removes a reference to an obsolete license plate and repeals the statute creating and definition referring to the license plate. Makes conforming amendments.

Effective: July 1, 2003.

Adams T, Herrell, Reske

January 14, 2003, read first time and referred to Committee on Roads and Transportation.

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Introduced

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1333

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-62.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 62.5. "Firefighter", for purposes of IC 9-18-34.5, has**
4 **the meaning set forth in IC 9-18-34.5-1.**

5 SECTION 2. IC 9-18-15-1, AS AMENDED BY P.L.222-1999,
6 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2003]: Sec. 1. (a) A person who is the registered owner or
8 lessee of a:

- 9 (1) passenger motor vehicle;
10 (2) motorcycle;
11 (3) recreational vehicle; or
12 (4) vehicle registered as a truck with a declared gross weight of
13 not more than:
14 (A) eleven thousand (11,000) pounds;
15 (B) nine thousand (9,000) pounds; or
16 (C) seven thousand (7,000) pounds;

17 registered with the bureau or who makes an application for an original

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1 registration or renewal registration of a vehicle may apply to the bureau
 2 for a personalized license plate to be affixed to the vehicle for which
 3 registration is sought instead of the regular license plate.

4 (b) A person who:

5 (1) is the registered owner or lessee of a vehicle described in
 6 subsection (a); and

7 (2) is eligible to receive a license plate for the vehicle under:

8 (A) IC 9-18-17 (prisoner of war license plates);

9 (B) IC 9-18-18 (disabled veteran license plates);

10 (C) IC 9-18-19 (purple heart license plates);

11 (D) IC 9-18-20 (Indiana national guard license plates);

12 (E) IC 9-18-21 (Indiana guard reserve license plates);

13 (F) IC 9-18-22 (license plates for persons with disabilities);

14 (G) IC 9-18-23 (amateur radio operator license plates);

15 (H) IC 9-18-24 (civic event license plates);

16 (I) IC 9-18-25 (special group recognition license plates);

17 (J) IC 9-18-29 (environmental license plates);

18 (K) IC 9-18-30 (children's trust license plates);

19 (L) IC 9-18-31 (education license plates);

20 (M) IC 9-18-32.2 (drug free Indiana trust license plates);

21 (N) IC 9-18-33 (Indiana FFA trust license plates);

22 (O) ~~IC 9-18-34 (Indiana IC 9-18-34.5~~ (firefighter license
 23 plates);

24 (P) IC 9-18-35 (Indiana food bank trust license plates);

25 (Q) IC 9-18-36 (Indiana girl scouts trust license plates);

26 (R) IC 9-18-37 (Indiana boy scouts trust license plates);

27 (S) IC 9-18-38 (Indiana retired armed forces member license
 28 plates);

29 (T) IC 9-18-39 (Indiana antique car museum trust license
 30 plates);

31 (U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);

32 (V) IC 9-18-41 (Indiana arts trust license plates);

33 (W) IC 9-18-42 (Indiana health trust license plates);

34 (X) IC 9-18-43 (Indiana mental health trust license plates);

35 (Y) IC 9-18-44 (Indiana Native American Trust license
 36 plates);

37 (Z) IC 9-18-45.8 (Pearl Harbor survivor license plates); or

38 (AA) IC 9-18-46.2 (Indiana state educational institution trust
 39 license plates);

40 may apply to the bureau for a personalized license plate to be affixed
 41 to the vehicle for which registration is sought instead of the regular
 42 special recognition license plate.

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SECTION 3. IC 9-18-34.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

Chapter 34.5. Firefighter License Plates

Sec. 1. As used in this chapter, "firefighter" means a person who is a full-time, salaried firefighter.

Sec. 2. (a) The bureau shall design a firefighter license plate as a special group recognition license plate under IC 9-18-25 to be issued beginning January 1, 2004.

(b) A firefighter license plate must include the following:

(1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) An emblem that designates the license plate as a firefighter license plate.

(3) Any other information the bureau considers necessary.

(c) The bureau shall confer with representatives of the Professional Firefighters Union of Indiana concerning the emblem under subsection (b)(2) that identifies the vehicle as being registered to a firefighter as prescribed under IC 9-18-25-5.

Sec. 3. A person who is a firefighter and who is eligible to register a vehicle under this title is eligible to receive at least one (1) firefighter license plate upon doing the following:

(1) Completing an application for a firefighter license plate.

(2) Paying the appropriate fees under section 6 of this article.

Sec. 4. An application for a firefighter license plate must include an area for the applicant to designate that the fee collected under section 6(b) of this article be distributed to the:

(1) Professional Firefighters Union of Indiana;

(2) Indiana Firefighters Association; or

(3) Indiana Fire Chiefs Association.

Sec. 5. A firefighter license plate issued under this chapter may be displayed on the following:

(1) A passenger motor vehicle.

(2) A truck registered as a truck with a declared gross weight of not more than eleven thousand (11,000) pounds.

(3) A recreational vehicle.

Sec. 6. (a) The fees for a firefighter license plate are as follows:

(1) The appropriate fees under IC 9-29-5-38(a).

(2) An annual fee of twenty-five dollars (\$25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau.

(c) The annual fee described in subsection (a)(2) shall be

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deposited in the fund established by section 7 of this chapter.

Sec. 7. (a) The firefighter fund is established.

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(c) The commissioner shall administer the fund. Expenses of administering the fund shall be paid from money in the fund.

(d) On June 30 of each year, the commissioner shall distribute the money from the fund to the organizations designated by the applicants in section 4 of this chapter, including any interest earned from the investments, in the proportionate manner in which the fees were designated.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund is appropriated annually for the purposes of this chapter.

SECTION 4. IC 35-42-2-1, AS AMENDED BY P.L.222-2001, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A person who knowingly or intentionally touches another person in a rude, insolent, or angry manner commits battery, a Class B misdemeanor. However, the offense is:

(1) a Class A misdemeanor if:

(A) it results in bodily injury to any other person;

(B) it is committed against a law enforcement officer or against a person summoned and directed by the officer while the officer is engaged in the execution of ~~his~~ **the officer's** official duty;

(C) it is committed against an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71) while the employee is engaged in the execution of the employee's official duty; or

(D) it is committed against a firefighter (as defined in ~~IC 9-18-34-1~~ **IC 9-18-34.5-1**) while the firefighter is engaged in the execution of the firefighter's official duty;

(2) a Class D felony if it results in bodily injury to:

(A) a law enforcement officer or a person summoned and directed by a law enforcement officer while the officer is engaged in the execution of his official duty;

(B) a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age;

(C) a person of any age who is mentally or physically disabled

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and is committed by a person having the care of the mentally or physically disabled person, whether the care is assumed voluntarily or because of a legal obligation;

(D) the other person and the person who commits the battery was previously convicted of a battery in which the victim was the other person;

(E) an endangered adult (as defined by IC 35-46-1-1);

(F) an employee of the department of correction while the employee is engaged in the execution of the employee's official duty;

(G) an employee of a school corporation while the employee is engaged in the execution of the employee's official duty;

(H) a correctional professional while the correctional professional is engaged in the execution of the correctional professional's official duty;

(I) a person who is a health care provider (as defined in IC 16-18-2-163) while the health care provider is engaged in the execution of the health care provider's official duty;

(J) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71) while the employee is engaged in the execution of the employee's official duty; or

(K) a firefighter (as defined in IC 9-18-34-1) while the firefighter is engaged in the execution of the firefighter's official duty;

(3) a Class C felony if it results in serious bodily injury to any other person or if it is committed by means of a deadly weapon;

(4) a Class B felony if it results in serious bodily injury to a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age; and

(5) a Class A felony if it results in the death of a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(b) For purposes of this section:

(1) "law enforcement officer" includes an alcoholic beverage enforcement officer; and

(2) "correctional professional" means a:

(A) probation officer;

(B) parole officer;

(C) community corrections worker; or

(D) home detention officer.

SECTION 5. IC 35-44-4-3, AS ADDED BY P.L.191-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2003]: Sec. 3. As used in this chapter, "firefighter" has the meaning set forth in ~~IC 9-18-34-1~~. **IC 9-18-34.5-1.**

SECTION 6. IC 35-47-4.5-3, AS ADDED BY P.L.70-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. As used in this chapter, "public safety officer" means:

- (1) a state police officer;
- (2) a county sheriff;
- (3) a county police officer;
- (4) a correctional officer;
- (5) an excise police officer;
- (6) a county police reserve officer;
- (7) a city police officer;
- (8) a city police reserve officer;
- (9) a conservation enforcement officer;
- (10) a town marshal;
- (11) a deputy town marshal;
- (12) a state university police officer appointed under IC 20-12-3.5;
- (13) a probation officer;
- (14) a firefighter (as defined in ~~IC 9-18-34-1~~); **IC 9-18-34.5-1**);
- (15) an emergency medical technician; or
- (16) a paramedic.

SECTION 7. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2003]: IC 9-13-2-77.5; IC 9-18-34.

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